

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re application of: Kenneth S. Zuckerman, et al

International Application No. PCT/US99/17366

International Filing Date: 7/30/99

For: METHOD FOR THE MODULATION OF FUNCTION  
OF TRANSCRIPTION FACTORS

Attorney Docket No.: 0152.00393

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Box PCT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 In the DO/EO/US. In response thereto, enclosed please find the following:

1. An executed Declaration and Power of Attorney for Patent Application;
2. Our check in the amount of \$65.00 which represents the surcharge for filing the Declaration after the appropriate 20 or 30 months from the priority date.

05/04/2001 LLANDERA 00000038 09744875

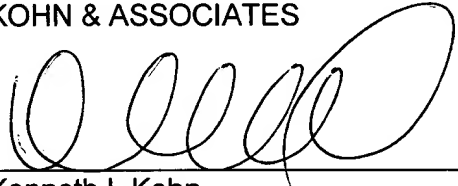
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Please charge our Deposit Account No. 11-1449 for any additional fees or credit our account for any overpayment.

Respectfully submitted,

KOHN & ASSOCIATES

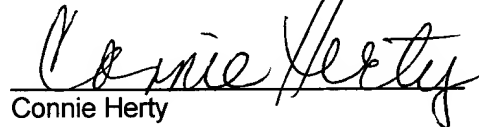


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Dated: April 30, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231, Box PCT on April 30, 2001, Express Mail Label No. EL818071450US.

  
Connie Herty

## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASST. COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/744,875

ZUCKERMAN

INTERNATIONAL APPLICATION NO.

0152.00393

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5611

I.A. FILING DATE

PCT/US99/17366

PRIORITY DATE

DATE MAILED:

07/30/99

07/30/99

03/02/01

## NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

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